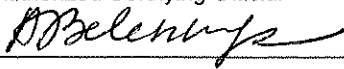


PERFORMANCE PROGRESS REPORT SF-PPR

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USAID
FROM THE AMERICAN PEOPLE



Support to the Kyrgyzstani Legal Defense Community
AID-176-A-12-00001
Quarterly Report
October 1, 2016 – December 31, 2016

To: Nazgul Akisheva, U.S. Agency for International Development/CAR/DGO

CC: ABA Rule of Law Initiative, Washington, D.C.

From: Azamat Kerimbaev, Country Director, ABA Rule of Law Initiative

Date: January 31, 2017

I. EXECUTIVE SUMMARY

Through funding from the U.S. Agency for International Development (“USAID”), the American Bar Association Rule of Law Initiative (“ABA ROLI”) initiated its three-year, \$1,599,100 program titled **Support to the Kyrgyzstani Legal Defense Community** in February 2012. In January 2015, ABA ROLI received a \$1,200,000 modification of the program over 24-months in order to continue program activities and ensure the successful institutional development of the newly formed Advocatura and the institutionalization of practical skills training for students. The primary objectives of the modification remain the same:

1. To support the development and growth of a unified bar association and enhance the qualifications of attorneys to serve the needs of the public; and
2. To equip future generations of lawyers with the advocacy skills and knowledge to provide quality legal representation to citizens in need in a fair and adversarial manner.

These objectives work to improve access to an impartial justice system, build public confidence in the legal system, and promote stability in the Kyrgyz Republic by enhancing the capacity, skills, and knowledge of practicing attorneys and the next generation of Kyrgyzstani lawyers.

This quarter, ABA ROLI focused on providing the Advocatura with basic tools and capacity to establish themselves as an effective and respected institution, equipping the new staff of the Advocatura, its Board members, and the members of the Ethics and Audit commissions with the knowledge and tools to draft strategic and action plans for the Advocatura for the next three years. ABA ROLI also continued to support seven university legal clinics to offer practical

skills opportunities to law students that prepare them with the tools to be active and engaged legal professionals.

Also this quarter, ABA ROLI received a request from USAID to prepare modification activities that would extend the program another two years to support the institutional advancement of the National Advocatura (Advocatura) and Advocates Training Center (ATC), and continue to foster practical skills opportunities for students through financial and technical assistance to the Legal Clinics Association (LCA) and legal clinics around the country. As of this writing, ABA ROLI received approval from USAID for the continuation of these activities through January 2019. ABA ROLI thanks USAID for its support and looks forward to continuing to build the capacity of current and future lawyers to promote and secure access to justice for all throughout the Kyrgyz Republic.



The financial support under the program to the KRSU legal clinic and the Legal Clinic Association enabled students to participate in—and win—a practical skills competition this quarter.

The following programmatic developments summarize ABA ROLI's progress for the period of October 1, 2016 through December 31, 2016 and merit individual mention:

- ABA ROLI, in cooperation with the Advocatura, **promoted the exchange of best practices on the modern challenges of bar association development by conducting the Second International Conference of the Advocatura.**
- ABA ROLI, in cooperation with the Advocatura **equipped advocates with information on professional registration requirements through a roundtable discussion, and initiated steps to revise the taxation schedule of practicing advocates** in order to better reflect their needs and interests.
- ABA ROLI **helped to increase the financial transparency of the Advocatura** by engaging an expert of the Auditing Commission to compile a comparative analysis and report on the organization's spending that will be presented to advocates during the Second Congress in late 2017.
- As a result of ABA ROLI's sustained support to the ATC, **the ATC was officially registered on October 17 as a component entity of the Advocatura**, ensuring the Advocatura has in-house expertise and capacity to provide services to its constituents.
- ABA ROLI's continued support during the quarter to **the LCA enabled it to conduct a series of meetings, field trips, and study tours for students around the country to meet with legal professionals**, including the Chairman of the Labor Union of the Constitutional Chamber, the National Center on Prevention Torture and Other Inhuman and Degrading Treatment, and Members of Parliament of the Kyrgyz Republic.
- Because of ABA ROLI's continued support, **the LCA and ATC came to a mutual agreement on the provision of professional development opportunities for current law students** that will allow them to build their practical skills and knowledge ahead of entry into the profession.

- ABA ROLI provided financial assistance to **seven legal clinics around the country that engaged 147 students in clinical legal education and who provided *pro bono* legal aid to 203 clients.** With support from their legal clinics, 18 law students went into their communities and **delivered trainings on a variety of legal topics for 350 students in secondary schools.**
- ABA ROLI's support to the LCA to promote clinical legal education resulted in a number of high profile meetings, in particular, between **the President of the LCA and the Deputy Minister of Education and Science of the Kyrgyz Republic who came to mutual agreement to support a working group that will develop a draft regulation on mandatory clinical legal education.**

Please see the supporting excel document for ABA ROLI's Activity M&E Plan and Indicator Chart of Quarterly Deliverables.

II. PROGRAM ACTIVITIES

Objective One: Support the Development and Growth of the National and Regional Advocaturas and Well-Qualified Advocates Able to Serve The Needs of the Public.

ABA ROLI provides technical and financial assistance to the national and regional advocaturas and the ATC to support the development and growth of the institutional structures of these organizations. During this quarter, ABA ROLI continued its efforts to enhance the organizational structures of the defense advocate community as well as supported programmatic initiatives of the Advocatura to promote greater transparency, public outreach, and networking of the defense advocate community that contribute to the overall objective.

Outcome One: The national and regional Advocaturas adopt and implement management structures and systems

Activity 1.1.1 Provide Financial Support to the Advocaturas to cover initial operating costs
Beginning April 1, 2015, ABA ROLI provided financial support to the National Advocatura through a sub-award that was designed to jump-start the Advocaturas' capacity in its first year of operation before other resources become available. Over the course of a year and a half, ABA ROLI's financial support helped the organization retain suitable office space, supplies, and staff during its initial stage of development and growth. Funds from the sub-grant were also used to maintain a website that ABA ROLI helped develop during Year Five of the program.

ABA ROLI's sub-award to the National Advocatura was completed in September 2016. During the reporting period, ABA ROLI provided substantive and technical expertise and guidance to the Advocatura. As part of the above-mentioned application for cost-extension activities, ABA ROLI is seeking further financial support from USAID to the Advocatura—at a decreased amount—as the Advocatura still needs support as it seeks to reach long-term sustainability.

Activity 1.1.2 Organize training for the Advocaturas' leadership on strategic planning, financial management, administration, capacity-building, institutional development, and public outreach

In previous years, ABA ROLI conducted two strategic planning trainings for the leadership of the regional advocaturas addressing key issues of management and strategic planning. Trainings were focused on effective management and strategic planning tools. As a result of these trainings the Bishkek city regional advocatura's leadership developed a draft of their strategic plan for the next three years.

During the reporting period, ABA ROLI advised the other regional advocaturas on the development of their strategic plans. By December, all remaining regional advocaturas had finalized their own plan for 2017 with related budget, and submitted it to the Advocatura for incorporation into the overall budget and plan of activities of the Advocatura.

Activity 1.1.3 Facilitate the creation and adoption of institutional documents, practices, policies, and plans

As a result of the January 2015 trainings for the Advocatura leadership on strategic planning, financial management, administration, capacity-building, institutional development, and public outreach, the Advocatura leadership completed and approved its Strategic Plan for 2015-2017. ABA ROLI provided further technical expertise over the course of the program period by supporting the development of documents that would enable the Advocatura to establish a Unified CLE Standard. As a result of these efforts, during the March 2016 Extraordinary Congress of Advocates, representatives approved the intention of the Board to incorporate the ATC into its structure as the provider of CLE and authorized the Board to re-register the ATC. Please see Activity 1.2.1 for more on the ATC's incorporation into the Advocatura.

Though there are no further events planned under this activity, ABA ROLI remains diligent in the mentorship of the Advocatura as it continues to develop and strengthen its internal regulations and procedures.

Activity 1.1.4 Lead a study tour to an exemplary country to gather international best practices in management and administration of bar association

During July 2015, ABA ROLI organized a ten-day study tour for Advocatura leadership to the United States to observe operations of effective bar associations and legal actors involved in the critical processes of advocate licensing and discipline, the provision of legal aid, and CLE. There are no further events planned under this activity, but ABA ROLI continues to discuss lessons learned from participants and monitor implementation of new initiatives and ideas that participants developed through their participation in the study tour.

Activity 1.1.5 Facilitate a series of regional roundtables and a meeting of the Congress of Advocates to address charter amendments, creation and recognition of the regional Advocaturas and other matters

In order to build on efforts since the Extraordinary Congress of Advocates and the recommendations of ABA ROLI's *pro bono* legal specialist in the spring of 2016 to increase the Advocatura's financial transparency, during the reporting period, ABA ROLI engaged an expert to conduct a comprehensive review of the Audit Commission, the body of the Advocatura that controls its financial activities, in order to gain a better understanding of the financial planning of the Advocatura and to inform efforts to make the organization's finances more transparent.

The analysis showed that during 2015 and 2016 the leadership of both the national and regional advocaturas did not exhibit requisite capacity to manage the financial activities of their corresponding units of oversight, such as regional branches, commissions, etc. This has a negative impact on the development of the Advocatura as a whole, as the funds are thus spent de facto rather than with purposeful use of the limited cash resources. This state of affairs is an internal obstacle for the development of the Advocatura. It does not meet the interests of the community of advocates nor the organization's longevity, and does not comply with the principles of openness and accessibility of information.

Thus, ABA ROLI engaged an expert from the Audit Commission to take additional steps to ensure the regional and national advocaturas finances are on track. The expert is now compiling all of the advocaturas' budgetary and activity plans into one, aggregated report that will track over the course of the year any spending compared to the submitted budget plans. In particular, the report identifies the development of a work plan for the Advocatura for the calendar year 2017 that must outline the organization's activities, expected of incomes versus estimated expenditures, and a consolidated staffing structure.

This report will then be presented during the 2017 Congress of Advocates. The purpose of this is twofold: first, to be responsive to constituent interest to date that the Advocatura be more transparent with their finances. This report would demonstrate to attending advocates how the Board of Advocates, commissions and committees of the Advocatura, regional advocaturas and ATC manage funds that are raised from entry-fees, monthly fees, donors support, etc. In this way, the report will show advocates where their dues fees are directed for internal operational support and programs. Second, this report would provide important data for the Advocatura to justify an increase in dues fees as it would showcase what services could be available if dues increased from 200 soms per month to 500 soms per month. There is strong resistance among the advocate community to an increase in dues; one reason this understood to be the case is that it is unclear to advocates what services they currently receive and what services they could receive as a result of higher dues. Therefore, this report will show advocates what they should expect in services from the advocaturas and ATC if monthly dues remains 200 soms and what they should expect if monthly dues would increase to 500 soms.

The initial report will be completed in January 2017 and then be approved by the Board of Advocates. Please see in Attachment B the Terms of Reference for the report.

Expected Outcome 1 Deliverables:

- Sub-award to the National Advocatura to support initial operating costs;
***Completed.** Sub-award took effect April 1, 2015 and was completed on September 30, 2016.*
- Two capacity building trainings for Advocatura leadership;
***Completed and exceeded.** Five capacity building trainings for Advocatura leadership have been conducted.*
- Two meetings for the National Advocatura to draft, edit and review proposed plans for each regional advocatura prior to their submission for approval by the Congress of Advocates;
***Completed.** These meetings were conducted in advance of the Extraordinary Congress of Advocates.*
- Strategic and fundraising plans for the National Advocatura;

Completed. *The Board of Advocates has approved the Strategic Plan for the Advocatura.*

- Human resources management tools of the Advocaturas' leadership, including an organizational chart, job descriptions, and office policies;

Completed. *Draft HR tools have been developed and adopted by the Board of Advocates.*

- Study tour to exemplar country to gather international best practices;

Completed. *Study tour to the USA took place in July 2015.*

- Five national roundtables;

Completed and exceeded. *Nine roundtables completed during previous reporting periods.*

- One national congress.

Completed and exceeded. *The first Congress of Advocates was held in November 2014 and Extraordinary Congress of Advocates was held in March 3, 2016.*

Outcome Two: Advocates have regular access to professional development opportunities

Activity 1.2.1 Provide a sub-grant to the ATC to support operational costs and ensure the provision of continued training for advocates

In order to ensure the provision of regular and high quality trainings for advocates, ABA ROLI provided a sub-award to the ATC starting in April 2015 to enable it to expand its training topics and provide more frequent trainings. Financial assistance to the ATC supported payments for rent, administrative staff, database subscriptions and website maintenance. The sub-award also supported the development and completion of trainings on new legislation and other topical issues.

ABA ROLI's sub-award with the ATC grant was completed on September 30, 2016. However, ABA ROLI continued to provide mentorship and technical expertise to the ATC during the reporting period as described below in Activity 1.2.2.

Activity 1.2.2 Provide technical assistance on institutional capacity building, strategic planning, and formalization of a partnership with the national Advocatura.

This quarter marked an important milestone for the ATC in the development of its CLE offerings for advocates. While ABA ROLI had supported the ATC to develop a mandatory one-week skills course earlier in the program period, ABA ROLI worked with the ATC to finalize the Unified Continuing Legal Education Standards that will govern advocates' CLE requirements, which were ultimately approved by the Board of Advocates this quarter. Also, this quarter, 11 out of 13 of the previously developed elective courses were approved by the Academic Department of the ATC for dissemination to advocates. The 11 approved trainings will now be conducted on a fee-based system at the ATC beginning in February, which will be an important self-funding resource for the ATC. The two courses that were not approved will be revised by the respective trainers and Academic Department of the ATC later this year.

In addition, ABA ROLI supported the ATC's strategic planning process to address the re-organization of the ATC following its incorporation under the Advocatura earlier this year. To this end, in October of this reporting period, the ATC officially received its re-registration status as an entity within the Advocatura for the professional education and training of attorneys. This legal status is in accordance with Article 10 of the Law on Advocatura, and is

expected to make the organization more stable and efficient, creating sustainable in-house systems that provide critical services to the defense advocate community.



The ATC gained its official registration as an entity of the National Advocatura in October, 2016.

Expected Outcome 2 Deliverables:

- Sub-grant to the ATC to support operational costs and ensure the provision of continued training for advocates;
Completed. Sub-grant has been provided since April 2015 and concluded in September 2016.
- Estimated 20 CLE trainings for 400 advocates throughout the Kyrgyz Republic;
Completed and exceeded. 25 out of 20 proposed trainings have been conducted for 553 participants.
- Three coordination meetings between the ATC and Advocatura to discuss their partnership, explore management options, and determine CLE requirements.
Completed. The Advocatura became the one and only stakeholder of the ATC.
- Support two meetings of an expert working group that will develop the mandatory skills-based curricula that will serve as the foundation of the Advocatura's CLE program.
Completed. Mandatory Basic Course I is developed.
- 2015-2018 Strategic Plan for the ATC that reflects the new partnership with the unified bar.
Completed. Strategic plan for the ATC is developed.
- One training-of-trainers to equip 20 new ATC trainers with the skills and tools to develop effective and responsive trainings. Develop mandatory CLE curriculum of core legal skills and up to ten topical elective courses.
Completed. The TOT for 28 trainers was conducted in April 2015 with the ten elective courses developed concurrently.
- One three-day strategic planning training for ATC leadership.
Completed. Strategic planning workshop was conducted from May 12-14, 2016.

Outcome Three: The defense advocate community has an improved status and reputation within the legal community and the public

Activity 1.3.1 Support public awareness efforts of the national and regional Advocaturas

This quarter, ABA ROLI continued to support the Advocatura in its awareness campaign to promote awareness among the public and the advocate community on the role and benefit of the national and regional advocaturas. In particular, ABA ROLI completed printing a series of posters that corresponded to already-distributed brochures on topics related to: Who is an advocate? What is Advocatura? and What are their CLE obligations?

The posters were distributed to each regional advocatura and then placed in each regional resource center, as well as distributed to court buildings in the regions. The posters target not only advocates, but also future advocates, members of the public who use/are in need of the services of advocates, and partners of the advocaturas, including civil society and other legal professionals, in order to raise public awareness of the mission of the Advocatura, its structure, its different commissions and committees, and its available representation in all regions of the Republic.

ABA ROLI supported the final stages of the development of the info-graphic videos so that they may be broadcasted during January 2017. ABA ROLI had expected to finalize and broadcast these info-graphics during the reporting period, but due to changes requested by the Board of Advocates regarding the content of the info-graphics, these will be aired in January 2017. The three info-graphics will be broadcasted in both Kyrgyz (15 times) and Russian (19 times) languages on KTRK TV channel, a national television channel that has high national viewership ratings – approximately 48% of national audiences on a nightly basis. The broadcast of the info-graphics is planned for primetime in order to reach this audience and inform them of the role the advocatura plays as an integral part of the justice system.

Activity 1.3.2 Strategic advocacy and legislative review

This reporting period, ABA ROLI supported the Advocatura in a number of initiatives to increase its analysis and thought leadership on relevant organizational and legislative developments within the defense advocate community.

In particular, ABA ROLI—in cooperation with the EU and GIZ—supported the second annual International Conference of the Advocatura from October 10-11, 2016. This conference explored international experience related to the “Modern challenges and tendencies of the development of Advocatura and advocate’s activity”.



Representatives of regional and international bar associations shared experiences and challenges faced in their bar associations during the October conference.

The conference convened 95 international experts and representatives of bar associations from around the region and world to share their experiences and best practices, including the Federal Chamber of Advocates of Russian Federation, Board of Advocates of Kazakhstan, Association of Advocates of Turkey, Republic Board of Advocates of the Republic of Belarus; and, the International Union of Advocates participated in the discussion. International experts represented the legal professions from the United States, Germany, France, Greece, Russian

Federation and many others. The heads and representatives of state, court, law enforcement bodies, non-profit and international organizations participated on the International Conference.



The International Conference of the Advocatura serves as an important event to build the organization's networks.

One of the main objectives of the International Conference was to identify prospective directions of reformation of the National Advocatura, gain positive experience of foreign countries on the institutional development of bar associations that could be applied to the situation in Kyrgyzstan, and facilitate suggestions for legislative changes that would improve the institution of the Advocatura and advocates' activities in the Kyrgyz Republic.

As a result of the conference, a resolution was developed and approved by the Board of Advocates on issues related to the interests of the advocate community in the Kyrgyz Republic. In particular, the resolution approved by the Board outlines the importance of efforts that would raise the prestige of the profession of an advocate in the public eye through such things as improving legal education and the interaction between the criminal defense community and civil society, the legislative, executive and judicial powers.

Additionally this reporting period, ABA ROLI supported the review of amendments to the Law on Advocatura that were approved in June 2016 that requires practicing advocates to register in a particular category: as a single, private advocate; in a partnership with one other advocate; or in a law firm with more than two advocates.

To this end, on October 14 ABA ROLI conducted a roundtable discussion for 50 advocates, including representatives of regional advocaturas and members of the Board of Advocates on advocate registration. The roundtable engaged participants in an active discussion on the registration process and requirements, educating advocates on how the amendments were crafted and allowing them to hear directly from the authors of the amendments.

During the roundtable, ABA ROLI's expert outlined the three existing types of legal entities advocates may register as. For example, if an advocate would like to work as an Advocate Cabinet (individually), there is no need to register with the Ministry of Justice, but an advocate notifies the Board of Advocates and the Ministry of Justice and would be subject to the relevant taxation schedule. The roundtable proved to be an important forum for advocates to voice their concerns of the new taxation scheme – though the expert on registration provided in-depth details on the different categories of registration an advocate may be subject to, as well as an update on the related amendment proposals to the Law on Advocatura, the roundtable demonstrated the complexity of the issue and that issues specifically related to subsequent taxation was still unclear to many practicing advocates in attendance.

Therefore, in order to fill in the gaps and address areas of concern voiced by advocates, the Advocatura requested ABA ROLI provide support through an expert on taxation that could offer recommendations for how to resolve the various complexities related to the taxation of advocates based on their registration status. The Ministry of Justice had already established a working group to develop a special tax regime for advocates, but the Advocatura does not agree

with the stipulations of the working group and its proposed rates of taxation. Thus, ABA ROLI's tax expert conducted analysis on current legislation relating to tax and social security contributions of advocates, drafted relevant amendments to this existing legislation based on a new proposal for the taxation of advocates, and developed a justification and Regulatory Impact Assessment on the proposed amendments to the legislation. The work of the expert demonstrated the strong need to develop amendments to the Tax Code of the Kyrgyz Republic and other related legislation, such Social Found regulations.

As a result, via the expert, ABA ROLI and the Advocatura have provided the Ministry of Justice's working group with its own vision of a taxation schedule for advocates. The Advocatura will advocate for the adoption by the Government of the Kyrgyz Republic of these recommendations and the amendments over the course of 2017.

Activity 1.3.3 Support the revision and implementation of the electronic entrance exam for advocates

This quarter, ABA ROLI expected further information from the MOJ about their interest to revise the qualification examination's content. ABA ROLI did not hear by the end of October 2016 from the MOJ to take these next steps. Thus, as outlined in our Year Six Work Plan, ABA ROLI conducted the alternate activity described in Activity 1.3.2 to provide expertise to the Advocatura to develop regulations to navigate the new tax structure.

Expected Outcome 3 Deliverables:

- The baseline assessment of the public awareness of national and regional Advocaturas is developed;
Completed. More than 600 respondents were polled and the results were used in the development of brochures about the Advocatura this quarter.
- TV and radio pieces, publications, and live discussion forums on the role of the unified bar and ongoing reforms within the profession;
In progress. 2,000 brochures about the Advocatura were published in Russian, Kyrgyz and English languages and disseminated through regional advocaturas. 100 banners with similar information were printed out and placed in all court buildings. Three infographics are developed and will be broadcast on national television channels and launched on the websites of ATC and Advocatura next reporting period.
- Four roundtables to discuss the role of the Advocaturas and the proposed changes to the Criminal and Criminal Procedure Codes;
Completed. Instead of supporting CPC specific roundtables, ABA ROLI supported the Advocatura to complete international conferences that covered legislative changes. The First International Conference of the Advocatura took place in Fall 2015, and the Second International Conference of Advocatura in October 2016.
- Six working group meetings on the Law on Advocatura and its adherence to international standards;
Completed. ABA ROLI supported an expert to develop amendments to the Law on Advocatura, which were completed this quarter.
- Recommendations for further reform and amendments to the Law on Advocatura and other relevant legislation;
In progress. ABA ROLI's registration and tax expert have developed amendments to the Law on Advocatura and Tax Code.

- Expert revision and implementation of the electronic entrance exam for advocates
Modified. The MOJ has indicated it will not review the entrance exam during the course of the current program period. Thus, ABA ROLI has completed alternative activities related to the registration of advocates and financial transparency of the advocaturas.

Objective Two: Equipping the Next Generation of Lawyers with the Practical Legal Skills and Knowledge to Provide Quality Legal Representation to Citizens in Need

Together with its activities related to bar reform in the Kyrgyz Republic, ABA ROLI continues to pay special attention to the quality of legal education across the country by supporting curricula reform and practical skills courses at law schools, client counseling competitions for students, and expanding clinical legal education opportunities that provide students with more practical, real-world skills and a legal education more in line with international standards. This quarter, ABA ROLI has successfully continued the activities in improving legal education planned for this period by supporting the legal clinics in providing legal aid for vulnerable group of society and efforts in more extracurricular activities for law students organizing meetings and conferences.

Outcome 2.1: Law students have access to practical skills training before entering the profession

In response to the issues of current legal education system which offers limited access to practical skills training ABA ROLI, in cooperation with the Inter-University Working Group, and leading university professors has developed three practical skills courses on “Tactics of interviewing and consulting”, “Tactics of a defense attorney on pre-trial stage” and “Tactics of parties in trial” for law students and successfully integrated the courses into the seven universities of the Kyrgyz Republic. Since that the law schools successfully has taught these courses and this quarter the legal clinics of the Academy of Ministry of Internal Affairs and American University in Central Asia expressed desire to introduce these courses into their curriculum and required related materials. ABA ROLI will continue supporting these practical skills trainings and use the three practical skills courses together with other activities within the framework of the program.

Activity 2.1.1: Provide financial support to six existing and two new legal clinics through a sub-grant to support clinic opportunities for students and legal representation for indigent clients.

This quarter ABA ROLI continued supporting legal clinics at seven law schools through the end of December, when the agreements came to a close. During the course of the quarter, the four clinics in Bishkek, two in Osh, and one in Jalal-Abad, continued to provide essential services to the community as well as offered extracurricular activities to their student-clinicians.

From October to December 2016, the seven clinics supported under this program provided legal aid for 203 clients. There were 147 students engaged in the program, including 86 women.

Kyrgyzstan Legal Education – Legal Clinics Output October-December 2016

Beneficiaries of Legal Clinics			Student-Client Interactions	
	Students	Clients	Consultations	Representations
KRSU	45	17	17	0
KSLA	24	85	85	0
IUK	11	14	14	0
KNU	20	38	38	0
JLI	20	25	25	0
OSU	12	15	13	2
OLI	15	9	7	2
Total	147	203	199	4

The financial support provided to the clinics enabled each clinic the opportunity to not only foster practical experiences for students through the provision of legal aid, but allowed them to organize a number of activities that engaged students in direct dialogue with experienced professionals.

Below are highlights of the clinic driven activities undertaken during the reporting period:

From October to December, ABA ROLI's support to seven legal clinics throughout the country and the LCA has created a range of opportunities for law students to gain practical legal experience and engage in their communities. On October 6 and 13 the law students had the chance to meet with the representatives of USAID, Senior Rule of Law Advisor Andrew Solomon and Agreement Officer Representative Nazgul Akisheva. The USAID representatives visited the Osh State University and the Osh Law Institute and the legal clinics of the International University of Kyrgyzstan, the Kyrgyz State Law Academy, and the Kyrgyz Russian



USAID representatives discuss clinical education with the students of Osh State University and the Osh Law Institute.



KRSU students are discussing interactive training skills during the training.

Slavonic University. The guests from USAID were interested in the study of the students in the clinics, working with clients, organizational structure of the legal clinics, as well as they could discuss and talk to students on their views to the profession, plans for the future and other topics of interest.

From October 25 to November 15, ABA ROLI supported the KRSU legal clinic to conduct training

courses on “Trainer’s skills” for the student–clinicians of its law school. Leading professors of the law school served as trainers and worked to instill modern interactive training skills for the students.

Students Participating in Legal Clinics are More Prepared than Peers

The Director of the KSLA legal Clinic noted this quarter, “the facts show that the students from the legal clinics are consistently leading their peers in various competitions in our country”. Notably, in October, a student of the KSLA legal clinic was awarded with a Presidential stipend for outstanding success in her study. The President of the Kyrgyz Republic Almazbek Atambaev himself awarded the student with a certificate of honor.



On December 2, the KSLA conducted a lecture for its students-clinicians inviting the international expert Apostollos Antimos, an advocate and magister of law of the University of Hannover in Germany. He shared information on the German legal system with law students and provided them with a thorough understanding of advocates’ activities in Germany. The students asked many questions, in particular, most of them were interested in the role of an advocate in the German legal context and the status advocates compared to prosecutors and judges within the German system.



International expert Apostollos Antimos with the KSLA law students.



KLSA student receives her first place prize from the Minister of Justice.

Following this event, KSLA organized an award ceremony devoted to the result of the competition “Legal culture in our life” organized with the Ministry of Justice of the Kyrgyz Republic and in cooperation with the Danish Institute of Human Rights. A student-clinician from KSLA won first place in this competition, putting her skills learned during her time at the clinic to good practice.

On November 26-27, AUCA organized a Model UN conference and a student-clinician of the KSLA, was one of the winners of a stipend from the Foundation of the Institute of Eurasian Study as one of the best participating students.

On December 17, KSLA held “Open House” event, where the students of the legal clinic presented on activities and successes of the legal clinic.

During the reporting period, the students clinicians of the KRSU conducted trainings on “We and the Law” at eight secondary schools in and around Bishkek for 350 students.



Model UN award ceremony for KSLA student



Open House event in KSLA



KRSU law students teaching basic law at secondary schools.

Expected Outcome 1 Deliverables:

- Provide sub-grants to eight legal clinics.
Altered and Completed. Seven clinics signed sub-grant agreements with ABA ROLI. One additional clinic which was planned to be established at the Academy of Ministry of Internal Affairs was not feasible, so ABA ROLI conducted an alternate activity (summer school for select student-clinicians in Issyk-Kul) with approval from USAID. These sub-awards were completed in December 2016.

Outcome 2.2: Clinical education leaders institutionalize best practices and coordinate clinical activities throughout the Kyrgyz Republic

Legal clinics are vital to both the students they train and the population they serve. Legal clinics give law students a chance to improve their practical legal skills and at the same time provide important *pro bono* legal aid to marginalized and vulnerable groups. In this quarter, ABA ROLI continued its support to the LCA to institutionalize and unify clinical practices across the educational system.

According to the plans put for this quarter, the LCA planned to organize a meeting of the working group charged with the development of the regulation on clinical legal education; however due to the resignation of the Minister of Education in October who supported this idea, the meeting was postponed for a later period that was still to be determined. However, during this time, the President of the LCA, Mr. Artur Bakirov, was appointed as a Deputy Director of the Educational Department of the Ministry of Education and he began advocating this idea to develop this regulation. As a result of the meetings between Mr. Bakirov with the Deputy Minister of Education, Mr. Esenkulov, he sent a letter to the Director of ABA ROLI

expressing willingness to cooperate in this initiative. Thus, the working group will start its function from January 2017. As of this writing, with the approval of USAID's extension to this program, ABA ROLI will use the opportunity to support the LCA and working group to help create sustainable mechanism for clinical legal education.

Activity 2.2.1: Establish a Legal Clinic Association (LCA) and provide a sub-grant to the LCA to support operational costs and ensure the provision of related activities

During the reporting period, ABA ROLI continued providing a sub-grant to the LCA through the conclusion of the award in December. The LCA was officially registered on February 12, 2015 and serves as a coordinator for clinical activity throughout the country and a resource for clinic directors, students, and the public. During this last quarter of the current program period, the LCA organized number of events including meeting with the state bodies and study tours:



Chairman of the labor union of the Constitutional Chamber of the Supreme Court, Mr. Mirlan Ibraev with law students

On November 20, the LCA organized a meeting between law students and Chairman of the labor union of the Constitutional Chamber of the Supreme Court of the Kyrgyz Republic, Mr. Mirlan Ibraev at the International University of Kyrgyzstan.

The meeting covered issues related to legal aspects of the Constitutional Chamber of the Supreme Court of the Kyrgyz Republic, as well as its authority. In addition, the students actively participated in the discussion about the upcoming referendum and proposed amendments to the Constitution. The students were very interested in this issue as the referendum, held December 11, had a major resonance within society.

On November 6, the LCA organized a meeting of law students with the representatives of the National Center on Torture Prevention and Other Inhuman and Degrading Treatment, where the students could become familiarized with the work of the Center. Attending students learned about current problems in the country related to torture and degrading treatment in detention centers and activities they could take to prevent and combat against these practices in their work.



Representative of the National Center on Torture Prevention and Other Inhuman and Degrading Treatment making a presentation.

During a meeting on November 22, the LCA, directors of the legal clinics, and the leadership of the ATC agreed on terms of mutual cooperation between the LCA and ATC. In particular, the organizations agreed to: provide a quota for free trainings at the ATC to the students of the legal clinics on regular basis; ensure available space at the law schools for international trainers willing to conduct master classes

for law students; work to continue to attract young advocates to serve as supervisors in the legal clinics as a mandatory public workload. Outside of formalizing the agreement, as an initial step towards this cooperation, on November 25, the LCA in cooperation with the ATC conducted a training for law students led by a French advocate who provided students with an overview of advocates' activities in France, legislation regulating this field, and which highlighted the differences and similarities of the education system between Kyrgyzstan and France.

Impact Highlight

The agreement between the LCA and ATC is an important step to ensuring the sustainability of legal education beyond the classroom as well as prepare well-qualified attorneys upon graduation. Cooperation between the two organizations will provide opportunities for students to increase their knowledge base, and enable the ATC and, by default, the Advocatura to cultivate and grow those who would later join the profession.

On November 24, the LCA organized a study tour for legal clinic students to the Parliament of the Kyrgyz Republic, where the students met with the Speaker of the Jogorku Kenesh Mr. Tursunbekov Chynybay. The students asked many question related to Parliament's activities, visited the library of the Parliament and discussed other interested issues. The purpose of this visit was to introduce the students to the legislative process as well as establish a ground for cooperation with the Parliament for internship opportunities for the students in the Parliament.



The law students are in the Parliament of the Kyrgyz Republic

Activity 2.2.2: Provide technical support, including training for association leaders and clinic directors on fundraising and sustainability issues.

In order to make the LCA as effective as possible, ABA ROLI conducted initial trainings for the leaders and the staff of the Association on strategic planning, fundraising, office administration, financial management, programmatic and financial management, and strategic outreach in previous reporting periods. As a result of the training, the staff of the LCA is equipped with the knowledge and skills to work effectively to develop action plans for effective management of the LCA and establish better cooperation with their partners. ABA ROLI keeps supporting the LCA to seek additional opportunities to be more effective and sustainable in their activities.

Expected Outcome 2 Deliverables:

- Establish and enter an agreement with the LCA;
Completed. The LCA has been established and officially registered with the MOJ. ABA ROLI concluded its sub-award with the LCA in December 2016.

- Two trainings for LCA leadership and staff on fundraising and sustainability issues; *Completed. The trainings were conducted on April 2015 and September, 2016.*
- Client counseling competitions for students to increase practical skills and support networking amongst young lawyers. *Completed. The LCA held the Client Counseling Competition in February 26-27, 2016.*

II. UPCOMING ACTIVITIES

The progress of this past quarter has laid the groundwork for even more success in the upcoming quarter. ABA ROLI expects to complete the following activities in the coming months:

- Provide support to the Committee on Legislation as it develops amendments to the Law on Advocatura and advocates activities.
- Conduct roundtables to discuss issues of the bar and procedures/logistics for the Second Congress of Advocates to be held in Fall 2017.

Attachment A – Monitoring and Evaluation Plan (attached as a separate document)

Attachment B – Terms of Reference for Financial Management Expert from Audit Commission

Terms of Reference

The results of the work of Auditing Commission of the Advocatura of the Kyrgyz Republic in 2015 and 2016 showed that the leaders (members of the Board of Advocatura of the Kyrgyz Republic, as well as members of the Boards of the territorial advocaturas) practically do not know how to plan the financial and economic activities of the controlled by them units of the Advocatura of the Kyrgyz Republic, which has a negative impact on the development of Advocatura as a whole, since the funds are spent *de facto*, depending on the current circumstances, and purposeful spending of limited cash resources is impossible.

This state of affairs is an internal obstacle for the development of Advocatura of the Kyrgyz Republic. It does not meet the interests of the Advocatura of the Kyrgyz Republic, does not comply with the principles of openness and accessibility of information in respect of Advocatura's financial and economic activity to the members of Advocatura and it is not in harmony with both the law of the Kyrgyz Republic "On the basic principles of budget law in the Kyrgyz Republic" as of 1998, and with the Charter of the Advocatura of the Kyrgyz Republic.

In this regard and in order:

to overcome existing shortcomings in the planning of financial and economic activities of Advocatura of the Kyrgyz Republic;

to form common understanding of the importance of developing annual work plans and their implementation of the persons responsible for financial and economic activities of Advocatura;
- to develop and introduce uniform requirements to administrative documents,

it is proposed to develop a Work Plan of Advocatura of the Kyrgyz Republic for 2017 with all the necessary calculations and documents, including the Budget of Advocatura of the Kyrgyz Republic prepared for the publication. The Work Plan is proposed to be developed by joint efforts of the members of the Board of Advocatura of the Kyrgyz Republic, board members of regional advocaturas, Advocates' Training Center of the Kyrgyz Republic, employees of the Office of Advocatura of the Kyrgyz Republic, in cooperation with the Auditing Commission of Advocatura of the Kyrgyz Republic, which is ready to provide methodological and practical assistance in the preparation of the Work Plan of the Advocatura of the Kyrgyz Republic. The Work Plan will be developed under the leadership of Mrs. Kozhomova, Chairman of the Board of Advocatura of the Kyrgyz Republic.

The following stages of work are suggested within one month till January 31, 2016.

1. Justification and approval of the format of the Annual Work Plan of Advocatura of the Kyrgyz Republic for the coming year as a working document, which may be adjusted throughout the year, as well as the notes on the implementation of activities or their postponement. Adoption of the text and graphic contents of the plan and its structure.
2. The personnel structure of the bodies of Advocatura of the Kyrgyz Republic. (Strengthening of Advocatura's *staff*). Discussion and approval
3. Preparation of detailed work plans of structural units of Advocatura of the Kyrgyz Republic
4. Development of consolidated Work Plan of Advocatura of the Kyrgyz Republic, with the insertion of detailed plans of the structural units to the general plan.
1. The estimates of income and expenditure as an integral part of the Annual Work Plan of the Advocatura of the Kyrgyz Republic for the coming year. (Its preparation and approval)
2. **An indicator of performance will be Annual Work Plan of the Advocatura of the Kyrgyz Republic for 2017, prepared for publication and the budget of the Advocatura.**